

ARIZONA DEPARTMENT OF WATER RESOURCES

BEFORE THE DIRECTOR


IN THE MATTER OF THE ADOPTION  
OF TEMPORARY RULES PURSUANT TO  
A.R.S. §§ 45-592(B), 597(A),  
AND 598(A)

O R D E R

IT IS ORDERED, that the attached rules R12-15-830,  
entitled "Well Spacing and Well Impact", and R12-15-840, entitled  
"Replacement Wells in the Same Location", are hereby respectively  
adopted as temporary rules, pursuant to the authority vested in  
the Director by A.R.S. § 45-592(B).

GIVEN, under my hand and Official Seal of the Department  
of Water Resources, this 11<sup>TH</sup> day of March, 1983.

S E A L

  
Wesley E. Steiner, Director  
Arizona Department of Water Resources

R12-15-830

Well Spacing and Well Impact

A. The Director shall review all well permit applications submitted pursuant to A.R.S. § 45-599, and shall approve such applications only if he determines that the proposed well will not cause unreasonably increasing damage to surrounding land or water users from a concentration of wells.

B. Those applications which indicate a proposed design pumping capacity in excess of 500 gallons per minute, or which propose the drilling of multiple wells, shall include a hydrological study of projected declines in water levels due to the operation of the proposed well or wells. The study shall delineate those areas surrounding the proposed well or wells in which the projected impacts on water levels would exceed 10 feet and 25 feet of additional drawdown, respectively, after the first five years of operation of the proposed well or wells. The Director may waive this requirement only if he finds that such a study is not required to make a determination pursuant to subsection D or E. Nothing in this subsection shall preclude the Director, in appropriate cases, from requiring any applicant to submit hydrological data or studies relating to projected drawdown effects.

3/11/83

C. In appropriate cases, including when the proposed well is to be located in an area of known land subsidence or poor water quality, the Director may require the applicant to submit hydrological studies or data relating to these considerations. The application shall be rejected if the Director determines that the proposed well would cause an unreasonable and adverse impact from additional regional land subsidence or migration of poor quality water.

D. If the Director, after reviewing the application and any hydrological studies or data submitted by the applicant or Department staff, has reasonable cause to believe that the probable impact of the withdrawals from the proposed well on any well of record as of the date of receipt of the application:

(1) Will not exceed ten feet of additional drawdown over a five year period, the application, subject to any determination made pursuant to subsection C, shall be deemed to have met the requirements of subsection A.

(2) Will exceed twenty-five feet of additional drawdown over a five year period, the application shall be rejected as not in compliance with subsection A.

E. If, after reviewing the application and any hydrological studies performed by the applicant or Department staff, the Director has reasonable cause to believe that the probable impact of the withdrawals from the proposed well on any well of record as of the date of receipt of the application will be greater than ten feet, but less than twenty-five feet of additional drawdown over a five year period, the Director may consider the following factors in determining whether the application meets the requirements of subsection A:

- (1) The depth to groundwater at the proposed well location;
- (2) The existing rate of decline in groundwater levels at the proposed well location;
- (3) The number of wells of record so affected;
- (4) The historical and proposed frequency and magnitude of use of any well of record so affected;
- (5) The current cost of pumping of any well of record so affected;
- (6) Any other significant economic impact on any well of record so affected, which is associated with the projected decline in water levels from the operation of the proposed well;

- (7) If the application is for a replacement well in a new location, the degree of impact that the original well imposed on wells of record so affected;
- (8) Any efforts by the applicant to mitigate the projected damage to any well of record so affected;
- (9) The feasibility of the applicant amending the specific location or pumping requirements of his proposed well to lessen the degree of impact on any well of record so affected.

F. Before making a determination pursuant to subsection E, the Director shall mail notices to all owners of wells of record so affected, informing them of the application and of the projected impacts on their respective wells. The applicant, upon request, shall be furnished a list of the well owners so notified. Such owners may respond with written comments no later than 30 days after the date of the notice.

G. If an application is rejected because of unreasonable impacts on water levels in surrounding wells, the applicant shall be notified of the location and record owner of the neighboring wells of record which the Director has determined would be unreasonably damaged. If within 45 days after being so notified, the applicant obtains signed and notarized consent forms from all such well owners, the

3/11/83

Director shall consider the application to be in compliance with subsection A. If the necessary consent forms are filed after 45 days, the Director shall treat the filing as a new application. The consent form shall be prescribed and furnished by the Director.

H. An applicant may, at any time prior to a final determination, amend his application respecting the location or pumping requirements of the proposed well to lessen the degree of impact on neighboring wells of record.

I. An application to drill a replacement well in a new location pursuant to A.R.S. § 45-599 shall not be rejected pursuant to subsection A, if the Director determines that:

(1) The operation of the replacement well will not significantly impact on any well of record which had not historically been impacted by the original well; and,

(2) The replacement well's projected impact on such neighboring wells will not exceed the historical impacts from the original well.

3/11/83

J. In this rule:

(1) "Well of record" means any well or proposed well not owned by the applicant, which has not been abandoned, and for which:

(a) A filing has been made pursuant to A.R.S. §§ 45-593(A) or 45-596(A), except any such filing which has expired pursuant to A.R.S. § 45-596(E); or,

(b) An application for a permit has been received by the Department pursuant to A.R.S. §§ 45-521 or 45-599, except any such application which has been rejected or for which the permit issued pursuant thereto has expired according to its terms, or for failure to complete the well in a timely manner pursuant to A.R.S. § 45-599(G).

(2) "Additional drawdown" means a lowering in the water levels surrounding a given well, which is as a result of the operation of such well, and which is not attributable to existing regional rates of decline or existing impacts from area wells.

K. The Director may impose conditions on a well permit issued pursuant to A.R.S. § 45-599 to insure that the operation of the well will meet the requirements of this rule.

R12-15-840

Replacement Wells in the Same Location

1. A proposed well shall be considered a replacement well pursuant to A.R.S. §§ 45-596 and 45-597, if the proposed well:
  - A) Will be located no greater than 660 feet from the original well which it is replacing; and,
  - B) Will not reasonably be expected to annually withdraw an amount of groundwater in excess of the historical withdrawals from the original well.
2. The original well may be operated in conjunction with the replacement well, if the total withdrawals do not exceed the historical withdrawals from the original well.
3. The Director may impose conditions on the notice of intent to insure that the drilling and operation of the replacement well will meet the requirements of this rule.